

MANDATE

E.D.N.Y. – Bklyn.
23-cr-146
Gujarati, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 10th day of April, two thousand twenty-five.

Present:

Dennis Jacobs,
Denny Chin,
Raymond J. Lohier, Jr.,
Circuit Judges.

In Re: Rachel Cherwitz,
Petitioner,

25-553

Rachel Cherwitz, Nicole Daedone,

Petitioners,

v.

United States of America,

Respondent.

Petitioners request a writ of mandamus and move to stay the district court proceedings pending resolution of the mandamus petition. OneTaste, Inc. moves to intervene. Upon due consideration, it is hereby ORDERED that the motion to intervene is DENIED. It is further ORDERED that the mandamus petition is DENIED because petitioners have not demonstrated that exceptional circumstances warrant the requested relief. *See Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004). The motion to stay the district court proceedings pending resolution of the mandamus petition is DENIED as moot.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court



MANDATE ISSUED ON 06/04/2025